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Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

In the Matter of )  
 )  
Amendment of the Amateur Radio )  
Service Rules to Include Novice )  
Class Operator License )  
Examinations in the Volunteer )  
Examiner Coordinator Examination )  
System )

PR Docket No. 92-154

COMMENTS OF THE AMERICAN RADIO RELAY LEAGUE, INCORPORATED

The American Radio Relay League, Incorporated (the League), the national association of Amateur Radio Operators in the United States, by counsel and pursuant to §1.415 of the Commission's rules (47 C.F.R. §1.415), hereby respectfully submits its comments in response to the Notice of Proposed Rule Making (the Notice), FCC 92-323, 7 FCC Rcd. 4608 et seq., released July 23, 1992. The Notice proposes to amend the Amateur Radio Service rules to include the responsibility for the preparation and administration of Novice Class operator license examinations under the volunteer examiner coordinator (VEC) system. In support of the proposals contained in the Notice, the League states as follows:

1. The League is one of the two initial proponents of the Notice proposal, and the ARRL-VEC is the largest of the Commission's VECs. The League filed a Petition for Rule Making February 26, 1992 seeking rule changes that are materially identical to those proposed in the Notice, with but one exception. A similar petition was filed the same day by W5YI-VEC, another of

the Commission's principal VECs. Neither of these petitions was accorded a file number, though the Notice incorporated the relief requested in each petition.

2. The League respectfully requests that its petition, a copy of which is attached hereto as Exhibit A, be incorporated in these comments and in this docket proceeding.<sup>1</sup> The reasons stated in the petition for incorporating the Novice examinations within the VEC program remain valid and compelling, and the League appreciates the Commission's responsiveness in issuing the Notice in this proceeding soon after the League's petition and the W5YI petition were filed.

3. No changes in the Appendix are recommended by the League. However, one clarification of the Commission's policy would be useful, with respect to reimbursement of VEs and VECs for necessary costs incurred in the administration of license examinations. The Notice proposes to permit VECs and VEs to be reimbursed for expenses in administering Novice examinations, as is the case with other classes of license examination presently administered under the VEC system (See, 47 C.F.R. §97.527). Presently, the Novice examinations are administered by volunteer examiners, but outside the VEC system (though some VECs allow and encourage pro bono administration of Novice examinations) and no reimbursement amount, or fee of any sort, may be charged therefor (See, 47 C.F.R.

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<sup>1</sup> T here is no reference in the Notice to the League's petition, save for a statement in paragraph 2 to the effect that the League and the W5YI-VEC recommended the changes proposed in the Notice.

§527(c)). The League did not recommend a change in the rules, and it takes no position now on the subject of whether reimbursement for administration of Novice examinations should be permitted as proposed.

4. Should the Commission enact the rules as proposed in the Appendix to the Notice, Reimbursement fees could be charged to Novice examination candidates. The question requiring clarification at present is as follows: May a VEC waive the assessment of a reimbursement fee for an entire class of license examination candidate, provided that it does so for all examinees for that class license in all areas in which it administers examinations, and provided that it does so for an entire year, rather than for a limited time. This issue is potentially important to the Novice class license examination administration, inasmuch as the examination for such candidates has traditionally been available without cost, and because the League wishes to insure that there is no disincentive for anyone to obtain an amateur radio license as the result of this rule change. While it is certainly correct that the nature of the Novice examination has changed since the inception of the VEC system, and while perhaps Senator Goldwater's expressed concern that Novice class examinations remain available without cost does not rise to the level of a statutory obligation, nonetheless there may be good reason for a given VEC to continue to administer Novice examinations without cost. The League wishes to insure that a VEC which assesses a reimbursement examination fee for certain license classes may in its discretion waive that fee

for all candidates for a certain license class, such as the Novice class. The rule would seem to support such an interpretation, but clarification of that issue in a Report and Order in this proceeding would resolve potential interpretational difficulties.

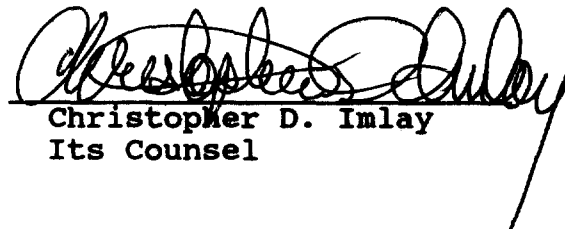
Therefore, the foregoing considered, the American Radio Relay League, Incorporated respectfully requests that the Commission proceed at an early date to implement the rule changes proposed in the Notice, as proposed. The League appreciates the Commission's timely response to the expressed wishes of the Amateur Radio Community, and to the League's proposal in this proceeding.

Respectfully submitted,

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